

BEFORE THE ADMINISTRATIVE HEARING COMMISSION
STATE OF MISSOURI

FILED
AUG 19 2004
ADMINISTRATIVE HEARING
COMMISSION

SCOTT B. LAKIN, Director
Department of Insurance
State of Missouri,

Petitioner,

v.

VERSATILE MANAGEMENT GROUP,

Serve at:

Demetrius Glass, President
13076 New Halls Ferry Road, #103
Florissant, MO 63033

Respondent.

Case No. _____

COMPLAINT

Scott B. Lakin, Director, Missouri Department of Insurance, for his Complaint against Respondent, states as follows:

INFORMATION RELEVANT TO ALL COUNTS

1. Petitioner is the Director of the Missouri Department of Insurance (hereinafter "Department" or "Director") whose duties, pursuant to Chapter 375, RSMo, include the supervision, regulation and discipline of insurance producers.
2. Respondent was issued an insurance business entity producer license by the Director, number AG8013543, which expires on November 7, 2005. Demetrius Glass is, and was at all times mentioned herein, the sole owner and sole officer of Respondent.

3. This Commission has jurisdiction of this Complaint pursuant to section 621.045, RSMo.

Count I

4. Respondent has violated an insurance regulation, a ground for discipline of Respondent's license under section 375.141.1(2), RSMo Supp. 2003.

5. The facts are as follows:

a. On or about February 10, 2003, Demetrius Glass received \$898.00 from Sonya J. James, in the course of doing insurance business, and

b. Such funds belonged to Sonya J. James, and

c. Demetrius Glass improperly withheld or misappropriated such funds to his own use or diverted such funds for a use other than that intended, and

d. Such funds were for an insurance premium payment associated with a personal insurance policy of Ms. James and Demetrius Glass knowingly failed to remit the premium payment to the insurer within thirty days of receiving the payment, as required by 20 CSR 700-1.140(2)(D), and

e. Demetrius Glass is, and was at all times mentioned herein, the sole owner and sole officer of Respondent, and was at all times mentioned herein acting on behalf of Respondent, and

f. Respondent thereby violated 20 CSR 700-1.140(2)(D), and

g. Demetrius Glass' actions set forth in this Count I were not reported to the Director by Respondent nor was corrective action taken by Respondent.

Count II

6. Respondent has improperly withheld, misappropriated or converted money or property received in the course of doing insurance business, a ground for discipline under section 375.141.1(4), RSMo Supp. 2003.

7. Petitioner realleges and incorporates herein by reference all of the allegations contained in Count I of this Complaint.

Count III

8. Respondent has used dishonest practices, or demonstrated incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere, a ground for discipline under section 375.141.1(8), RSMo Supp. 2003.

9. The facts are as follows:

a. Petitioner realleges and incorporates herein by reference all of the allegations contained in Counts I and II of this Complaint, and

b. As a result of Respondent's conduct, Ms. James was without insurance coverage for a period of time, and

c. Demetrius Glass sold Ms. James a homeowner's insurance policy and an automobile insurance policy although he was not licensed to sell such policies. Glass was acting on behalf of Respondent when he sold the policies to Ms. James, and

d. Respondent's actions involved dishonest practices or demonstrated incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere.

Count IV

10. Respondent has violated an insurance regulation, a ground for discipline of Respondent's license under section 375.141.1(2), RSMo Supp. 2003.

11. The facts are as follows:

- a. On or about June 13, 2003, Demetrius Glass received \$163.87 from Veronica Osborne, in the course of doing insurance business, and
- b. Such funds belonged to Veronica Osborne, and
- c. Demetrius Glass improperly withheld or misappropriated such funds to his own use or diverted such funds for a use other than that intended, and
- d. Such funds were for an insurance premium payment associated with a personal insurance policy of Ms. Osborne and Demetrius Glass knowingly failed to remit the premium payment to the insurer within thirty days of receiving the payment, as required by 20 CSR 700-1.140(2)(D), and
- e. Demetrius Glass is, and was at all times mentioned herein, the sole owner and sole officer of Respondent, and was at all times mentioned herein acting on behalf of Respondent, and
- f. Respondent thereby violated 20 CSR 700-1.140(2)(D), and
- g. Demetrius Glass' actions set forth in this Count IV were not reported to the Director by Respondent nor was corrective action taken by Respondent.

Count V

12. Respondent has improperly withheld, misappropriated or converted money or property received in the course of doing insurance business, a ground for discipline under section 375.141.1(4), RSMo Supp. 2003.

13. Petitioner realleges and incorporates herein by reference all of the allegations contained in Count IV of this Complaint.

Count VI

14. Respondent has used dishonest practices, or demonstrated incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere, a ground for discipline under section 375.141.1(8), RSMo Supp. 2003.

15. The facts are as follows:

a. Petitioner realleges and incorporates herein by reference all of the allegations contained in Counts IV and V of this Complaint, and

b. As a result of Respondent's conduct, Ms. Osborne was without insurance coverage for a period of time, and

c. Demetrius Glass sold Ms. Osborne a homeowner's insurance policy and an automobile insurance policy although he was not licensed to sell such policies. Demetrius Glass was acting on behalf of Respondent when he sold the policies to Ms. Osborne, and

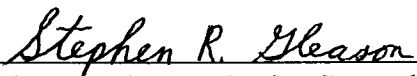
d. Respondent's actions involved dishonest practices or demonstrated incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere, and

e. Demetrius Glass' actions set forth in this Count VI were not reported to the Director by Respondent nor was corrective action taken by Respondent.

WHEREFORE, Petitioner requests that this Commission find cause to discipline the insurance business entity producer license of Respondent.

Respectfully submitted,

SCOTT B. LAKIN, Director
Missouri Department of Insurance



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